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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|--------------------------|------------------|
| 10/079,309 | 02/21/2002 | Gary John Corey | | 9106 |
| 7590 | 03/12/2004 | | EXAMINER | |
| Mr. Gary John Corey 21445 Bundy Canyon Road Wildomar, CA 92595 | | | PALADINI, ALBERT WILLIAM | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2125 | / / |
| DATE MAILED: 03/12/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
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EXAMINER

ART UNIT PAPER

11

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Notice of Non-Compliant Amendment (37 CFR 1.121)

(Signature) 3-4-04
Albert W Paladini
Primary Examiner
Art Unit: 2125

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on November 12, 2003 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see *65 Fed. Reg. 54603*, Sept. 8, 2000, and *1238 O.G.* 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: The Substitute Specification should not contain the claims, and the Substitute Specification does not meet the requirements of 37 CFR 1.125(b) as shown below.

LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Art Unit: 2125

1. The substitute specification filed on November 12, 2003 has not been entered because it does not conform to 37 CFR 1.125(b) and (c) because:

--the statement as to a lack of new matter under 37 CFR 1.125(b) is missing;

--a marked up copy of the substitute specification has not been supplied in addition to the clean copy;

--a clean copy of the substitute specification has not been supplied in addition to a marked up copy;

--the substitute specification should not contain the amended claims.

2. Attached is a condensed version of a sample amendment format.

SAMPLE AMENDMENT FORMAT

Conventional Heading Information
for Amendment Supplied Here (Applicant, Appl. No., etc)

AMENDMENT

Sir:

In response to the Office action of October 10, 2000, please amend the above-identified application as follows:

In the Specification:

Please replace the paragraph beginning at page 5, line 15, with the following rewritten paragraph:

-- In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars. --

In the claims:

Please cancel claim 6.

Please amend claim 7 as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 watts and the weight of the grill member is about 3.5 kg.

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REMARKS/ARGUMENTS

Claims 1-5 and 7-10 remain in this application. Claim 6 has been canceled. Claim 7 has been amended.
Claims.....

.....
Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

SIGNATURE _____

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

Paragraph beginning at line 15 of page 5 has been amended as follows:

In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars.

In the claims:

Claim 6 has been canceled.

Claim 7 has been amended as follows:

7. (Amended) A grillér as claimed in claim 1 wherein the power consumption of the heater element is 1250 1600 watts and the weight of the grill member is about 3.5 kg.

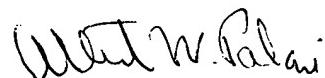
Art Unit: 2125

3. Any inquiry concerning this communication or earlier communication from the examiner should be direct to Albert W. Paladini whose telephone number is (703) 308-2005. The examiner can normally be reached from 7:30 to 3:30 PM on Monday, Tuesday, Thursday, and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Leo P. Picard, can be reached on (703) 308-0538. The official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

March 4, 2004



Albert W. Paladini
Primary Examiner
Art Unit 2125